

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6863 of 2019

1. Rajau Ram Mandavi S/o Late Jurri Ram Mandavi Aged About 47 Years R/o Village Dundabedma School Para, P. S. Eragaon District Kondagaon Chhattisgarh, District : Kondagaon, Chhattisgarh
2. Smt. Sanbati Mandavi W/o Rajau Ram Mandavi Aged About 47 Years R/o Village Dundabedma School Para, P. S. Eragaon District Kondagaon Chhattisgarh, District : Kondagaon, Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through The Police Station Eragaon District Kondagaon Chhattisgarh, District : Kondagaon, Chhattisgarh

---- Respondent

 For Applicant : Shri P.K. Tulsyan, Advocate
 For Respondent/State : Shri Anurag Verma, Panel Lawyer

Hon'ble Smt. Justice Rajani Dubey
Order On Board

10.12.2019

1. The accused/applicants have moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No.7/2019 registered at Police Station – Eragaon, District Kondagaon(C.G.) for the offence punishable under Sections 376, 306, 34 of the IPC and Section 4, 6 of the Protection of Children from Sexual Offences Act, 2012.
2. Case of the prosecution is that father of the prosecutrix lodged a report that on the pretext of marriage Kirandev Mandavi committed sexual intercourse with his daughter due to which she became pregnant. Thereafter, the applicants and Kirandev Mandavi pressurized the prosecutrix to abort the child and sent back to her parental house, where, she committed suicide.

3. Learned counsel for the applicant submits that the applicants have been falsely implicated in the crime in question. He further submits that the applicants are father and mother of Kirandev Mandavi who has committed the offence and they have no active role. He submits that charge sheet has been filed and the trial is likely to take some time for its final disposal, they may be released on bail.
4. On the other hand, counsel for the State opposes the bail application.
5. Considering the facts and circumstances of the case, in particular, main allegations are against Kirandev Mandavi and charge sheet has been filed, I am of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
6. Accordingly, the application filed under Section 439 Cr.P.C. is allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in sum of Rs.25,000/- with two sureties each in like sum to the satisfaction of the concerned trial Court for their appearance before the said Court as and when directed till the disposal of the trial.
7. Certified copy, as per rules.

Sd/

(Rajani Dubey)
JUDGE